

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

TRUEPOSITION INC.,)	
)	
)	
Plaintiff/)	
Counterclaim-Defendant,)	
)	
v.)	Civil Action No. 05-747-SLR
)	
ANDREW CORPORATION,)	
)	
Defendant/)	
Counterclaim-Plaintiff.)	
)	

PROPOSED VOIR DIRE

Pursuant to D. Del. L.R. 47.1(a), Andrew Corporation hereby submits the following proposed voir dire to jury panel.

Good morning, ladies and gentlemen. I am Judge Robinson, and I will be presiding over the trial for which a jury is about to be drawn in the case captioned *TruePosition, Inc. v. Andrew Corporation*. Briefly stated, this is a patent action arising under the patent laws of the United States, and actions for fraud, estoppel, unfair competition under California law, and implied license.

The trial will last 9 days. I time my trials, so the attorneys have to complete their trial presentations within these limits. However, jury deliberations may require you to be present longer than 9 days. Our trial days will run approximately from 9:30 a.m. to 4:30 p.m.

I will now ask you certain questions. If any of you answer any question "yes," please stand up and, upon being recognized by the Court, state your juror number. When I have

concluded asking all the questions, we will call you to the bench individually to speak with you about your affirmative response or responses.

[HAVE CLERK ADMINISTER THE OATH TO THE PANEL]

Parties, Companies

1. I am now going to read to you a list of companies and organizations:

TruePosition, Inc.
 Liberty Media Corporation
 Andrew Corporation
 Saudi Telecom Company
 Ericsson
 Qatar Telecom (Q-Tel)
 European Telecommunication Standards Institute
 3GPP

Now I am going to ask you a few questions about these companies and organizations.

- (a) Have you, a family member or close friend, ever worked for any of these companies?
- (b) Are you personally acquainted with any officer, director, or employee of any of those companies?
- (c) Do you or any member of your household now own, or have you or any such member ever owned, any stocks or bonds in any of those companies?
- (d) Have you, any family member, or anyone close to you had any dealings with, or relied financially in any way on any of these companies?
- (e) Have you, any family member, or anyone close to you had any negative experiences with any of those companies?
- (f) Have you, any family member, or anyone close to you had any positive experiences with any of those companies?
- (g) Before today have you heard about or read any news articles about these companies?

Attorneys

2. I am now going to read to you a list of the attorneys and law firms involved in this litigation. Please answer "yes" if you are related to, or personally acquainted with, any of these attorneys, or you have ever been represented by any of these attorneys or other associates or members of the listed law firms.

KIRKLAND & ELLIS LLP

Gregory S. Arovas, P.C.
John M. Desmarais
Todd M. Friedman
Shira J. Kapplin
Avinash S. Lele
Michael A. Parks
Regan A. Smith
Rachel Pernic Waldron

YOUNG CONAWAY STARGATT & TAYLOR LLP

Josy Ingersoll
Andrew A. Lundgren

WOODCOCK WASHBURN LLP

Daniel J. Goettle
Dale Heist
Amanda M. Kessel
Paul B. Milcetic
Kathleen A. Milsark
Lynn B. Moreale

CONNOLLY BOVE LODGE & HUTZ LLP

James D. Heisman

Witnesses

3. I am now going to read to you a list of the individuals who might appear as witnesses in this case. Are you related to, or personally acquainted with, any of the following individuals?

Brian G. Agee	Michael Hoppman
Khalid Al-Mufti	Iris Inbar
Michael Amarosa	Stuart Katz
Rob Anderson	Joseph Kennedy
Andrew Beck	Curtis Knight
Frederic Beckley	Alan Li
Gary Brown	Oskar Magnusson
John Carlson	James T. McDaniel
Kevin Donaghy	Carla Mulhern
Mohammed Eissa	Dewayne Perry
Mazin Fagiri	James Petelle
Terry N. Garner	Rhys Robinson
David Goodman	Joseph Sheehan
Oded Gottesman	Stuart C. Schwartz
Robert L. Gross	John C. Webber
Douglass E. Hall	Randy Wynn

Wayne Hoeberlein

Technical Subject Areas

4. I am now going to read to you a list of subject areas. Have you, or any family member, or anyone close to you ever been educated, employed, trained, or had any experience in any of the following areas?

Cell Phones
 Telecommunications
 Geolocation
 Global Positioning System, or “GPS”
 Cellular Phone Air Interface Standards (such as “AMPS,” “IS-95,” “IS-2000,” or “GSM”)
 The Process of Setting Technology Standards
 Electrical or Computer Engineering

Knowledge of the case

5. Do you have any personal knowledge of this case, or have you read or heard it discussed, or have an opinion regarding it?

Litigation experience

6. Have you ever been a plaintiff, a defendant, or a witness in a civil lawsuit?

(a) If you were a party to a lawsuit, were you satisfied with the outcome?

7. Have you ever been chosen as a juror?

(a) If yes, in what court? If yes, what types of cases have you sat on?

(b) Did the jury deliberate? Were you chosen as the foreperson? Were you satisfied with the verdict?

(c) Was your jury experience good or bad?

(d) Was there anything about your experience as a juror that would affect how you view the Court system, or whether you could be fair and impartial as a juror on this case?

Patent experience

8. Do you have any knowledge about or experience with patents, including applying for a patent or receiving a patent?

9. Has any member of your immediate family or anyone close to you ever applied for or received a patent?
10. Have you ever worked for a company that had patented products or processes?
11. Have you ever been involved in the development of a new product or process?
12. Have you, any member of your immediate family, or anyone close to you ever had any dealings with the United States Patent and Trademark Office?
13. Have you, any member of your immediate family, or anyone close to you ever worked for the United States Patent and Trademark Office?
14. Have you, any member of your immediate family, or anyone close to you, or any person or company you have worked for ever been accused of patent infringement?
15. Have you, any member of your immediate family, or anyone close to you, or any person or company you have worked for ever been involved in licensing or dealing with patents?
16. Do you have any opinions concerning the patent system?
17. Do you have any opinions concerning the enforcement of patents?
18. Do you believe it is easy or difficult to obtain a patent?
19. To what extent do you agree that the United States Patent and Trademark Office is extremely thorough when deciding to issue a patent?
20. If the evidence supports it, would you have any hesitation about overriding a decision by the United States Patent and Trademark Office?
21. Do you believe it is important for companies to patent their ideas?
22. Do you believe it is necessary for companies to patent their ideas?

Special disability or problem

23. Do you have a special disability or problem that would make it difficult or impossible for you to serve as a member of the jury in this case?
24. Do you have difficulty speaking, reading, writing or understanding English?
25. Do you or any member of your immediate family, or anyone close to you, have any medical circumstances or illness that you believe might be affected in hearing the evidence in this case?

Background issues

26. How closely do you follow business or financial news?

27. What is your major source of news and information?
28. Do you belong to any organizations in which you hold a leadership position?
29. Have you ever owned a business?
30. Do you think in order for an agreement to be legally enforceable/binding it has to be written?
31. At work, do you have management or supervisory responsibilities (or have you in the past)?
32. Are you normally the first among your friends and family to acquire new gadgets and technology?
33. Among your friends and family, are you the one that usually ends up fixing things?
34. Do you like figuring out how things work?
35. Has anyone ever taken credit for or profited from an idea that was yours?
36. Have you or a close family member ever worked as a designer, inventor, or author?
37. What is your opinion about U.S. companies that do business with foreign companies?
38. Have you or any member of your immediate family ever alleged that a company has engaged in fraud or unfair business practices?
39. Have you ever worked for a company that has been alleged to have engaged in, or has alleged that another company has engaged in fraud or unfair business practices?
40. Have you, any member of your immediate family, or a company that you have worked for ever been alleged to have breached a contract, or ever alleged that another person or company has breached a contract?
41. Have you, any member of your immediate family, or anyone close to you, or any person or company you have worked for ever been responsible for compliance with technology standards set by an outside organization?
42. Have you, any member of your immediate family, or anyone close to you, or any person or company you have worked for ever been involved in the process of setting any type of technology standards?
43. Have you, any member of your immediate family, or anyone close to you, or any person or company you have worked for ever been a member of a technology standards-setting organization?
44. Do you know of any other matter which you believe should be called to the Court's attention as having some bearing upon your qualifications or ability to sit as a juror in this

case, or which you think may prevent you from rendering a fair and impartial verdict based solely upon the evidence and my instructions as to the law?

YOUNG CONAWAY STARGATT &
TAYLOR, LLP

/s/ Andrew A. Lundgren _____
Josy W. Ingersoll (No. 1088)
jingersoll@ycst.com
Andrew A. Lundgren (No. 4429)
alundgren@ycst.com
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, Delaware 19899-0391
(302) 571-6600

Attorneys for Defendant Andrew Corporation

OF COUNSEL:

John M. Desmarais
KIRKLAND & ELLIS LLP
153 East 53rd Street
New York, New York 10022
(212) 446-4800

Michael A. Parks
Rachel Pernic Waldron
Shira J. Kapplin
KIRKLAND & ELLIS LLP
200 East Randolph Drive
Chicago, Illinois 60601
(312) 861-2000

Dated: August 24, 2007

CERTIFICATE OF SERVICE

I, Andrew A. Lundgren, Esquire, hereby certify that on August 24, 2007, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

James D. Heisman, Esquire
 Connolly, Bove, Lodge & Hutz LLP
 The Nemours Building
 1007 North Orange Street
 Wilmington, DE 19801
 Email: jheisman@cblh.com

I further certify that on August 24, 2007, I caused a copy of the foregoing document to be served by hand delivery on the above-listed counsel of record and on the following in the manner indicated:

BY ELECTRONIC MAIL

Paul B. Milcetic, Esquire
 David L. Marcus, Esquire
 Daniel J. Goettle, Esquire
 Woodcock Washburn LLP
 One Liberty Place, 46th Floor
 Philadelphia, PA 19103
 Phone: 215-988-2063
 Email: pbmilcet@woodcock.com
marcus@woodcock.com
dgoettle@woodcock.com

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Andrew A. Lundgren

Josy W. Ingersoll (No. 1088)
 Andrew A. Lundgren (No. 4429)
 The Brandywine Building
 1000 West Street, 17th Floor
 Wilmington, Delaware 19801
 (302) 571-6600
alundgren@ycst.com
Attorneys for Defendant Andrew Corporation